

**TOWN OF JOHNSTOWN, COLORADO**  
**RESOLUTION NO. 2022-36**

**APPROVING THE PRELIMINARY/FINAL SUBDIVISION PLAT FOR THE SUNCATCHER PROPERTY, SITUATED IN A PORTION OF LOT A OF RECORDED EXEMPTION NO. 1059-18-1-RE 1008, LOCATED IN NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF WELD, STATE OF COLORADO, CONSISTING OF APPROXIMATELY 125.158 ACRES**

**WHEREAS**, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

**WHEREAS**, the Town Council is vested with authority to administer the affairs of the Town; and

**WHEREAS**, Sauer South, LLC, a Colorado limited liability company, by and through TCA Microgrid Energy, LLC, a Florida limited liability company, d/b/a Pivot Energy, submitted an application to the Town for approval of a Preliminary/Final Subdivision Plant for a development known as Suncatcher, situated in a Portion of Lot A of Recorded Exemption No. 1059-18-1-RE 1008, located in Northeast Quarter of Section 18, Township 4 North, Range 67 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado, consisting of approximately 125.158 acres (“Property”), being more particularly described on Exhibit A; and

**WHEREAS**, by Ordinance No. 2022-234, the Town Council approved the annexation of the Property; by Ordinance No. 2022-235, the Town Council approved planned unit development – mixed use (PUD-MU) zoning of the Property; and, by Ordinance No. 2022-236, the Town Council approved the Outline Development Plan (“ODP”) for the Property; and

**WHEREAS**, on July 13, 2022, the Planning and Zoning Commission held a hearing, reviewed the request and recommended that the Town Council approve the Preliminary/Final Subdivision Plat for the Property; and

**WHEREAS**, on August 15, 2022, the Town Council held a public hearing concerning approval of the Preliminary/Final Subdivision Plat and, after considering the Planning and Zoning Commission’s recommendation, reviewing the file and conducting such hearing, found that the Preliminary/Final Subdivision Plat meets the data requirements and design standards of the subdivision regulations contained in the Johnstown Municipal Code, is consistent with the Town’s Comprehensive Plan and the Town’s regulations, and will allow a flexible approach to the development of the Property; and

**WHEREAS**, based on the foregoing, the Town Council desires to approve the Preliminary/Final Subdivision Plat for the Property.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:**

**Section 1. Preliminary/Final Subdivision Plat Approval:** The Preliminary/Final Subdivision Plat for the development known as Suncatcher, situated in a Portion of Lot A of Recorded Exemption No. 1059-18-1-RE 1008, located in Northeast Quarter of Section 18, Township 4 North, Range 67 West of the 6<sup>th</sup> P.M., County of Weld, State of Colorado, consisting of approximately 125.158 acres, attached hereto and incorporated herein by reference at Exhibit A, is hereby approved.

**Section 2. Recording:** The Town Clerk is hereby directed to obtain the appropriate signatures for the Preliminary/Final Subdivision Plat and, on or after the effective date of the annexation of the Property, have it properly recorded at the Office of the Weld County Clerk and Recorder.

PASSED, SIGNED, APPROVED, AND ADOPTED THIS \_\_\_\_ day of August, 2022.

**ATTEST:**

**TOWN OF JOHNSTOWN, COLORADO**

By: \_\_\_\_\_  
Hannah Hill, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor